

Notice of Allowability	Application No.	Applicant(s)	
	10/731,934	HASEGAWA ET AL.	
	Examiner	Art Unit	
	Hargobind S. Sawhney	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 6/14/2005.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ The drawings filed on 09 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>8/15/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

1. The amendment filed on June 14, 2005 has been entered. Accordingly:
 - Claims 1-3 have been amended; and
 - New claims 4 and 5 have been added.
2. On August 15, 2005, the examiner contacted the attorney, Mr. Curtis B. Hamre, to inform that the a few limitations in the amended Claim 1 need to be rephrased to avoid errors due to insufficient antecedent basis. Additionally, the examiner informed Mr. Hamre that the amended independent Claim 1 includes allowable subject matter.

In response, Mr. Hamre authorized an examiner's amendment requiring the following:

Claim 1, line 11, insert --of the terminal end portion—after “surface”.

Claim 1, line 13, insert – terminal—before “end portion--.

A copy of the interview summary is attached herewith.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Curtis B. Hamre on August 15, 2005.

Claim 1, line 11, insert --of the terminal end portion—after “surface”.

Claim 1, line 13, insert – terminal—before “end portion--.

Allowable Subject Matter

4. Claims 1-5 are allowed

The prior art of record, including Oel et al. (US Patent No.: 5,327,330) and Fukui (Japanese Patent No: JP 6-50113), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose an automotive headlamp combining:

- a lens-leg portion extending and deviating from the surface of the terminal end portion of the lens flange portion as recited in Claim 1;
- the lens-leg portion fitting in the lamp housing as recited in Claim 1;
- the surface of the terminal end portion of the lens-leg portion being roughened and painted as recited in Claim 1

The above-indicated combination and arrangement, including a terminal end portion branching away from a lens-leg portion, and further the terminal end portion having its surface roughened and painted, makes this invention unique.

Neither combined nor individual teaching of Oel et al. (US Patent No.: 5,327,330) and Fukui (Japanese Patent No: JP 6-50113) teaches vehicular headlamp including a terminal end portion branching away from a lens-leg portion, and further the terminal end portion having its surface roughened and painted. Thus, neither in combination nor individually Oel et al. (US Patent No.: 5,327,330) and Fukui (Japanese Patent No: JP 6-50113) meets the limitation of the independent amended Claim 1.

Therefore, Claim 1 is allowed over prior art.

Claims 2-5 are necessarily allowed because of their dependency on the allowable Claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2875


For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS

8/16/05


Stephen Husar
Primary Examiner